

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

JENNIFER HAN,

Plaintiff,

v.

SS SMILE LIMO, LLC, HANMAEUM  
LIMO, LLC, KIL WOO KIM, SUNG  
JUN PARK,

Defendants.

Civil Action No. 18-15365 (SDW) (LDW)

**ORDER**

May 1, 2019

**THIS MATTER** having come before the Court by way of Plaintiff Jennifer Han's ("Plaintiff") Motion for Default Judgment against Defendants SS Smile Limo, LLC and Sung Jun Park pursuant to Federal Rule of Civil Procedure 55(b), and Plaintiff's Petition for an Award of Attorney's Fees and Reimbursement of Expenses and Costs, both of which are unopposed; and

**WHEREAS** Title VII of the Civil Rights Act of 1964 ("Title VII") does not provide for liability against individuals, such as Defendant Sung Jun Park. *See Sheridan v. E.I. DuPont de Nemours & Co.*, 100 F.3d 1061, 1078 (3d Cir. 1996) ("Congress did not intend to hold individual employees liable under Title VII."); *Khater v. Puzino Dairy, Inc.*, No. 14-4618, 2016 WL 3041856, at \*2 (D.N.J. May 27, 2016) (citing to cases in this district that have held that official capacity suits against individual supervisory employees are barred under Title VII); and

**WHEREAS** Plaintiff has not provided any information regarding her front pay, pain and suffering, and/or emotional damages to substantiate her claim for compensatory damages in the amount of \$100,000.00; and

**WHEREAS** Plaintiff has provided no basis to award punitive damages;

**IT IS, on this 1<sup>st</sup> day of May, 2019,**

**ORDERED** that Plaintiff's Motion for Default Judgment (ECF No. 11) is **GRANTED in part and DENIED in part** as follows: (i) Plaintiff's claim for unpaid wages and liquidated damages totaling \$1,851.26 is **GRANTED**; and (ii) Plaintiff's claim for \$100,000.00 in compensatory damages for wrongful termination pursuant to Title VII is **DENIED with prejudice** as against Defendant Sung Jun Park and **DENIED without prejudice** as to Defendant SS Smile Limo, LLC; and it is further

**ORDERED** that Plaintiff's Petition for an Award of Attorney's Fees and Reimbursement of Expenses and Costs (ECF No. 13) in the amount of \$9,902.00 is **GRANTED**.

**SO ORDERED.**

/s/ Susan D. Wigenton  
Hon. Susan D. Wigenton  
United States District Judge

Orig: Clerk  
cc: Leda Dunn Wettre, U.S.M.J.  
Parties